



RCE/MS

PTO/SB/30 (04-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/827,008
Filing Date	April 5, 2001
First Named Inventor	Richard Mathis
Art Unit	2186
Examiner Name	Sheng Jen Tsai
Attorney Docket Number	350804.00400

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-2603. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	12-27-2005
Name (Print/Type)	John W. Carpenter	Registration No.	39,129

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	12/27/2005
Name (Print/Type)	Mary Kelley		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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# FEE TRANSMITTAL for FY 2005

Effective 10/1/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 395.

## Complete if Known

Application Number 09/827,008  
 Filing Date April 5, 2001  
 First Named Inventor Richard Mathis  
 Examiner Name Sheng Jen Tsai  
 Art Unit 2186  
 Attorney Docket No. 350804.00400

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number

50-2603

Deposit  
Account  
Name

REED SMITH LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account \*\*Filing Fee has been paid\*\*

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	2001	395	Utility filing fee	
		1002	350	2002	175	Design filing fee	
		1003	550	2003	275	Plant filing fee	
		1004	790	2004	395	Reissue filing fee	
		1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)							(\$0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20	**20	=	0	X	Fee from below	=	0
Independent Claims	3	**3	=	0	X	Fee from below	=	0
Multiple Dependent			=		X	Fee from below	=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
		1202	50	2202	25	Claims in excess of 20
		1201	200	2201	100	Independent claims in excess of 3
		1203	360	2203	180	Multiple dependent claim, if not paid
		1204	200	2204	100	** Reissue independent claims over original patent
		1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	2053	130	Non-English specification	
		1812	2,520	1812	2,520	For filing a request for reexamination	
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	120	2251	60	Extension for reply within first month	
		1252	450	2252	225	Extension for reply within second month	
		1253	1020	2253	510	Extension for reply within third month	
		1254	1,590	2254	795	Extension for reply within fourth month	
		1255	2,160	2255	1,080	Extension for reply within fifth month	
		1401	500	2401	250	Notice of Appeal	
		1402	500	2402	250	Filing a brief in support of an appeal	
		1403	1,000	2403	500	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	500	2452	250	Petition to revive - unavoidable	
		1453	1,500	2453	750	Petition to revive - unintentional	
		1501	1,400	2501	700	Utility issue fee (or reissue)	
		1502	800	2502	400	Design issue fee	
		1503	1,100	2503	550	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	
		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	1806	180	Submission of Information Disclosure Stmt	
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	2801	395	Request for Continued Examination (RCE)	395.
		1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$).395.

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

John Carpenter

Registration No.  
(Attorney/Agent)

39,129

Telephone

415.659.5927

Signature

Date

10/27/2005

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